

RDJ:mc/Ret

RESOLUTION NO. 128 - 2003

EXPRESSING the opposition of Council to the proposed Eastern Regional Wastewater Treatment Plant, which is intended to be located in Alexandria, Kentucky, and which would have a discharge point on the Ohio River approximately eleven miles upstream of the drinking water intake of the Greater Cincinnati Water Works, and directing the Administration to attend and participate in pending public hearings related to the proposed construction of the plant and to do all things necessary and proper to ensure that the interests of the City of Cincinnati are fully preserved regarding this crucial public health issue.

WHEREAS, Sanitation District No. 1 of Northern Kentucky is planning the construction and operation of the Eastern Regional Wastewater Treatment Plant (ERWWTP), a sewage treatment plant that will have a discharge point on the Ohio River approximately eleven miles upstream of drinking water intakes of the Greater Cincinnati Water Works, the Northern Kentucky Water District and the City of Newport; and

WHEREAS, the Greater Cincinnati Water Works, Northern Kentucky Water District and City of Newport serve approximately two million people who live and work in the Greater Cincinnati area, and

WHEREAS, the proposed Eastern Regional Wastewater Treatment Plant would create a ten-fold increase in wastewater discharge within this critical source water protection area of the Ohio River, a source water protection zone determined by a task force of six states including the Ohio River Valley Sanitation Commission (ORSANCO), the Commonwealth of Kentucky, and three United States Environmental Protection Agency (USEPA) regions; and

WHEREAS, the Greater Cincinnati Water Works has a number of serious public health concerns about human disease-causing organisms and chemical contaminants, not addressed by the proposed ERWWTP, including specific contaminants such as ammonia, synthetic organic compounds and others, and very harmful biological contaminants such as *Giardia lamblia*, *Cryptosporidium* and other viruses and pathogens; and

WHEREAS, no critical flow modeling and analysis of the Ohio River have been disclosed with respect to the subject stretch of the Ohio River, to learn of the expected flow path and concentrations of the wastewater discharge as it reaches the drinking water intakes, as well as the effect of plant upsets, bypasses, inflow and infiltration, communication failures, high and low water factors, and other factors; and

WHEREAS, serious federal and state regulatory issues may not have been adequately addressed, including the more-stringent requirements of the upcoming USEPA Long Term 2 Enhanced Surface Water Treatment Rule, a regulation that is specifically keyed to source water quality; and

WHEREAS, while under current conditions, the biological contaminant *Cryptosporidium* has seldom been detected at the Cincinnati intake, that may well change with the proposed ERWWTP, potentially costing the City of Cincinnati capital and operational cost increases conservatively estimated to range between \$4 million and \$18 million annually for ultraviolet and ultrafiltration, respectively, and other affected drinking water utilities will be similarly impacted; and

WHEREAS, compliance with other federal and state laws and regulations including the 1996 Safe Drinking Water Act is impacted, since the ERWWTP discharges will occur within a Zone One area, a source water protection zone of most critical and highest importance and an area in which contaminants will quickly affect a drinking water supply; and

WHEREAS, measures required by the federal Clean Water Act, including the promulgation and implementation of antidegradation regulations, may not have been adequately addressed nor complied with regarding the proposed construction of the ERWWTP; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

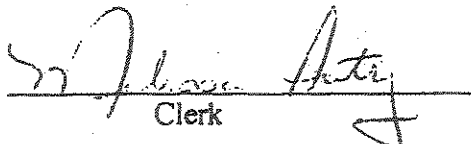
Section 1. That Council expresses its opposition to the proposed Eastern Regional Wastewater Treatment Plant, which is intended to be located in Alexandria, Kentucky, and which would have a discharge point on the Ohio River approximately eleven miles upstream of the drinking water intake of the Greater Cincinnati Water Works, and directs the Administration to attend and participate at pending public hearings related to the proposed construction of the plant and to do all things necessary and proper to ensure that the interests of the City of Cincinnati are fully preserved regarding this crucial public health issue.

Section 2. That a copy of this Resolution be spread upon the minutes of Council and that a copy be sent to: Department for Environmental Protection, Division of Water, KPDES Branch, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601.

Passed: November 26, 2003


Mayor

Attest:


Clerk